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PATENT

Attorney Reference Number 4810-59380

Application Number 09/896,888

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Grigliatti *et al.*

#5

Art Unit: Not yet assigned

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PRELIMINARY AMENDMENT

In the Specification

Please insert the following header and paragraph on page 1, immediately following the title:

--CROSS REFERENCE TO RELATED APPLICATION

This is a continuation of U.S. Patent Application No. 09/048,911, filed March 26, 1998, incorporated by reference herein in its entirety.--

In the Claims

Prior to examination of the above-named application, and prior to calculation of the fee, please amend the claims to read as follows:

1. (Amended) A shuttle vector for transforming insect cells and prokaryotic cells, comprising:

- a) a prokaryotic origin of replication;
- b) a promoter region comprising an insect promoter and a prokaryotic promoter sequence; and
- c) a selectable marker coding sequence operably linked to the promoter region, so that the selectable marker is under the transcriptional control of the insect promoter in insect cells and the prokaryotic promoter sequence in prokaryotic cells, wherein the selectable marker is thereby capable of expression in both prokaryotic and insect cells to confer a selectable phenotype on cells transformed with the shuttle vector.